

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISIONS
C.A. No. 3:19-cv-00590-FDW**

LEGRETTA F. CHEEK,

Plaintiff,

V.

GURSTEL LAW FIRM, P.C., SHANNON N. CRANE,
WHITNEY M. JACOBSON, JESSE VASSALLO LOPEZ,

Defendants.

DECLARATION OF NORMAN I. TAPLE

I, Norman I. Taple, acting as the authorized representative of Defendant Gurstel Law Finn, P.C., ("Gurstel Law Firm") declares and states the following:

1. I am competent to testify as to the matters set forth herein. The facts stated within this declaration are within my personal knowledge and are true and correct.
2. I am the Chief Operating Officer and General Counsel of Gurstel Law Firm.
3. I make the statements herein on behalf of Gurstel Law Firm. I have personal knowledge of the facts contained in this declaration by virtue of my position with Gurstel Law Firm and am authorized to give this Declaration on behalf of Gurstel Law Firm.

4. Gurstel Law Firm is incorporated in the State of Minnesota and has a principle place of business in the State of Minnesota.

5. Gurstel Law Firm does not have any offices, or own or rent any property in the State of North Carolina.

6. Gurstel Law Firm does not conduct, and has never knowingly reached into North Carolina to conduct any business activities in the State of North Carolina.

7. Gurstel Law Firm does not have any employees or agents who reside in the State of North Carolina.

8. One of Gurstel Law Firm's practice areas is to assist creditors with debt collection activities.

9. Gurstel Law Firm was hired by Bank of America N.A. to collect an outstanding debt owed by Plaintiff Legretta F. Cheek ("Plaintiff") to Bank of America pursuant to a credit account agreement.

10. At the time of debt charge off, the credit account monthly statements were sent by Bank of America to Plaintiff at 7124 W Linda Lane, Chandler, Arizona 85226 ("Plaintiff's Arizona Address"), which was her last known address as provided by Plaintiff to Bank of America as her contact address.

11. All the collection letters sent by Gurstel Law Firm to Plaintiff were delivered to Plaintiff's Arizona Address.

12. On December 6, 2018 Gurstel Law Firm filed a lawsuit in the Superior Court of Arizona, County of Maricopa, titled Bank of America, N.A., Plaintiff, v. Legretta F. Cheek et al, Defendant ("Creditor Lawsuit")

13. On December 12, 2018, Gurstel Law Firm effectuated service on Plaintiff at Plaintiff's Arizona Address.

14. At the time the Creditor Lawsuit was filed and served Gurstel Law Firm had never reached into or contacted the Plaintiff in North Carolina to collect the Bank of America credit account debt owed by Plaintiff.

15. On June 29, 2019, over five months after the Creditor Lawsuit was filed and served, Plaintiff filed with the Arizona Superior Court a change of address notice which listed her new address at 113 Indian Trail Rd, Suite 100, Indian Trail, North Carolina 28079 (the "North Carolina Address"). Thereafter, and in support of the Creditor Lawsuit notice requirements, a Gurstel Law Firm attorney mailed to the North Carolina Address a notice of motion for summary judgment and supporting documents. This mailing has been the only contact that Gurstel Law Firm had with the Plaintiff in North Carolina.

I declare under penalty of perjury that everything I have stated in this document is true and correct.

DATED: 12-20-2019


NORMAN I. TAPLE